1   Michael G. Goldberg (MG-2135)
     Anika Lewis (AL-2005)
2   PRYOR CASHMAN LLP
     410 Park Avenue
3   New York, New York 10022
     Telephone: (212) 421-4100
4   Fax: (212) 326-0806
5   Email: mgoldberg@pryorcashman.com

6   and

7

8   Glenn S. Bacal
     Frederick M. Cummings
9   David M. Andersen
     JENNINGS, STROUSS & SALMON, P.L.C.
10   A Professional Limited Liability Company
     The Collier Center, 11th Floor
11   201 East Washington Street
     Phoenix, Arizona 85004
12   Telephone: (602) 262-5911
13   Fax: (602) 253-3255

14   Attorneys for Plaintiff The Frank Lloyd Wright Foundation

15

16   UNITED STATES DISTRICT COURT
     SOUTHERN DISTRICT OF NEW YORK

17

THE FRANK LLOYD WRIGHT FOUNDATION, an Arizona not-for-profit corporation,	No. 1:08-cv-00422-NRB
Plaintiff,	ECF Case
vs.	**WAIVER OF PROCESS AND ACCEPTANCE OF SERVICE**
HAMPTON COURT JEWELERS LTD. d/b/a CELLINI FINE JEWELRY, a New York domestic business corporation,	
Defendant.	

18

19

20

21

22

23

24

25

26

3120345v1(55504.14)

STATE OF NEW YORK   )
)ss:
County of New York   )

Marvin S. Gittes, Esq., being first duly sworn up his oath, deposes and says:

1. I am counsel for Defendant Hampton Court Jewelers Ltd. d/b/a Cellini Fine Jewelry ("Defendant") and am duly authorized to accept service of the Summons and Complaint.

2. I have received two copies of the Complaint in this action.

3. On behalf of Defendant, I hereby waive any formal service of the Summons and Complaint.

3. I agree that this action may proceed against Defendant as though Defendant had been personally served within the State of New York.

4. I understand that this Acceptance does not constitute an appearance and that Defendant retains any defenses or objections to the lawsuit or to the jurisdiction or venue of the court except for objections based on a defect in the summons or in the service of the summons.

DATED this 4ᵗᵗ day of ~~January~~ *FEBRUARY*, 2008.

By: _____

    Marvin S. Gittes, Esq.
    Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C.
    Chrysler Center
    666 Third Ave.
    New York, NY 10017

SUBSCRIBED AND SWORN TO before me this 4ᵗʰ day of ~~January~~ *February*, 2008.

SYLVIA A. BELARDO
Notary Public, State of New York
No. 01BE6015783
Qualified in New York County
Commission Expires November 9, 20 10

NOTARY PUBLIC

MY COMMISSION EXPIRES ON: 11/9/2010

2

3120345v1(55504.14)

JUDGE BUCHWALD

ORIGINAL

%AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

SOUTHERN   District of   NEW YORK

The Frank Lloyd Wright Foundation, an Arizona
not-for-profit corporation,

V.

Hampton Court Jewelers Ltd. d/b/a Cellini Fine
Jewelry, a NewYork domestic business corporation

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

08 CV 00422

TO: (Name and address of Defendant)

Hampton Court Jewelers Ltd. d/b/a Cellini Fine Jewelry
301 Park Avenue
New York, New York 10022

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael G. Goldberg
Pryor Cashman LLP
410 Park Avenue
New York, New York 10022

an answer to the complaint which is served on you with this summons, within _____ twenty (20) _____ days after service
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the
Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON   JAN 1 6 2008

CLERK   DATE

(By) DEPUTY CLERK

AO 440 (Rev. 8/01) Summons in a Civil Action

RETURN OF SERVICE	
Service of the Summons and complaint was made by me[1]	DATE
NAME OF SERVER *(PRINT)*	TITLE

Check one box below to indicate appropriate method of service

☐ Served personally upon the defendant. Place where served:

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

   Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES			
TRAVEL	SERVICES	TOTAL	$0.00

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____   _____
                          Date   *Signature of Server*

                                                    _____
                                                    Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.